

Entered - 5-19-00- sb
CL0010299- GWENDOLYN BURNS

00-0-0950

CLAIM OF: DORIS CHADWICK

through her attorney

ROBERT G. NARDONE, ESQ.

68 North Avondale Road

Avondale Estates, Georgia 30002-0037

For damages alleged to have been sustained
as a result of a property damage incident on
March 19, 2000 at 1002 State Street.

THIS ADVERSED REPORT IS
APPROVED

ADVERSE REPORT

COM: Public Safety

DATE: 6-27-00

CHM: C.T. Madson

BY: [Signature]

[Signature]

BY: [Signature]
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

ADVERSED BY
CITY COUNCIL JUL 0 5 2000

CERTIFIED
JUL 5 2000

CERTIFIED
JUL 0 5 2000
R. L. Douglas, Jr.
MUNICIPAL CLERK



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

July 18, 2000

Robert G. Nardone
Attorney at Law
68 North Avondale Rd.
Avondale Estates, GA 30002-0037

00-R-0950

RE: Doris Chadwick

Dear Attorney Nardone:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on July 5, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: **Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0299

Date: June 16, 2000

Claimant /Victim **DORIS CHADWICK**

BY: (Atty) (Ins. Co.) ROBERT G. NARDONE, P.C.

Address: 68 North Avondale Road, Avondale Estates, Georgia 30002-0037

Subrogation: _____ Claim for Property damage \$ 14,000.00 Bodily Injury \$ _____

Date of Notice: 5/17/00 Method: Written, Proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 3/19/00 Place: 1002 State Street, #Apt. 5

Department **PLANNING, DEVELOPMENT & NEIGHBORHOOD CONSERVATION** Division Buildings

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that her property was damaged when surface waters flooded her property due to the negligent designing, engineering and executed grading and drainage on property located at 401 West 10th Street. However, the City is immune from liability as set forth in O.C.G.A §36-33-1. (See companion Claim Number 00L0279).

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures	Diagrams	Reports: Police	Dept Report	X	Other	X
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Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ X _____ Ministerial _____

Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,

Gwendolyn Bu
INVESTIGATOR-GWENDOLYN BU

INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 100.00 Adverse ☒ Account charged: 1A01 ☐ 2J01 ☐ 2H01 ☐

Claims Manager: *[Signature]* Concur/date *06/06/20*

Committee Action: _____ Council Action _____

LAW OFFICES
ROBERT G. NARDONE, P.C.
68 NORTH AVONDALE ROAD
AVONDALE ESTATES, GEORGIA 30002-0037
404 297-0036
TELECOPIER 404 299-5691

ROBERT G. NARDONE

Burns
05/17/00
Da

MAILING ADDRESS:
P.O. BOX 37
AVONDALE ESTATES, GEORGIA 30002-0037

ENTERED - 5-19-00 - SB
00L0299 - GWEN BURNS

May 15, 2000

The Honorable William C. Campbell, Mayor
City of Atlanta
City Hall
55 Trinity Avenue, Southwest, Suite 2400
Atlanta, GA 30335

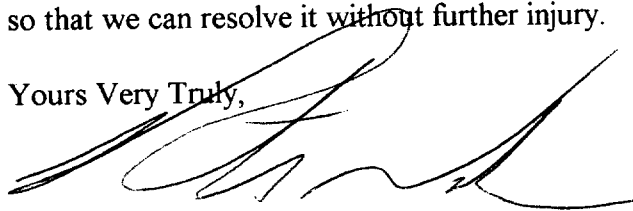
RE: Doris Chadwick
1002 State Street, Atlanta, GA 30302
Date of Loss: March 19, 2000
Ante Litem Notice

Dear Sir:

This letter will serve as your notice that Ms. Doris Chadwick has a claim against the City of Atlanta for a loss which occurred on the 19th day of March 2000 when her property was flooded by runoff surface waters due to negligently designed, engineered, and executed grading and drainage on the property of R.S. Thomason Building Corporation, located 401 W. 10th Street. Ms. Chadwick lost \$14,000 for immediate repairs to the real estate, plus the loss of a tenant and continues to suffer monthly lost rentals due to the continued maintenance of the flooding nuisance.

My client is a 65-year-old widow who is dependent upon the income from her property for her survival. She can ill afford to lose this income, have the value of her property severely diminished, and have to employ attorneys to protect her interests. Please give this matter your early consideration so that we can resolve it without further injury.

Yours Very Truly,



ROBERT G. NARDONE

rgn/ab

00-*R*-0950

RCS# 2057
7/05/00
1:38 PM

Atlanta City Council

Regular Session

Consent Agenda pgs. 1-13

Adopt

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 3

NV McCarty
Y Starnes
Y Bond
B Winslow

Y Dorsey
Y Woolard
Y Morris
Y Muller

Y Moore
Y Martin
Y Maddox
Y Boazman

Y Thomas
B Emmons
B Alexander
NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-O-0982
00-O-0996
00-R-0954
00-R-0981
00-R-0999

07/05/00 Council Meeting	
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
<ol style="list-style-type: none"> 1. 00-O-0882 2. 00-O-0815 3. 00-O-0986 4. 00-O-0987 5. 00-O-0988 6. 00-O-1002 7. 00-O-0574 8. 00-O-0972 9. 00-O-0818 10. 00-R-0990 11. 00-R-0992 12. 00-R-0993 13. 00-R-0885 14. 00-R-0884 15. 00-R-0883 16. 00-R-0880 17. 00-R-0814 18. 00-R-0957 19. 00-R-0961 20. 00-R-0998 21. 00-R-0887 22. 00-R-0888 23. 00-R-0889 24. 00-R-0997 25. 00-R-0892 26. 00-R-0955 27. 00-R-0984 28. 00-R-1000 29. 00-R-0908 30. 00-R-0909 31. 00-R-0910 32. 00-R-0911 33. 00-R-0912 34. 00-R-0913 35. 00-R-0944 36. 00-R-0945 37. 00-R-0946 	<ol style="list-style-type: none"> 38. 00-R-0914 39. 00-R-0915 40. 00-R-0916 41. 00-R-0917 42. 00-R-0918 43. 00-R-0919 44. 00-R-0920 45. 00-R-0921 46. 00-R-0922 47. 00-R-0923 48. 00-R-0924 49. 00-R-0925 50. 00-R-0926 51. 00-R-0927 52. 00-R-0928 53. 00-R-0929 54. 00-R-0930 55. 00-R-0931 56. 00-R-0932 57. 00-R-0933 58. 00-R-0934 59. 00-R-0935 60. 00-R-0936 61. 00-R-0937 62. 00-R-0938 63. 00-R-0939 64. 00-R-0940 65. 00-R-0941 66. 00-R-0942 67. 00-R-0943 68. 00-R-0947 69. 00-R-0948 70. 00-R-0949 71. 00-R-0950 72. 00-R-0951